

Court of Appeals, State of Michigan

ORDER

Kevin J Rieman v Kendall W Rieman

Docket No. 352197

LC No. 19-030597-CK

Michael J. Kelly
Presiding Judge

Patrick M. Meter

Michael F. Gadola
Judges

The Court orders that the motion to dismiss is DENIED. While filing an appeal bond can be required to secure a stay of proceedings to enforce a judgment pending appeal, it “is not a condition of the right to appeal.” *Denton v Winiemko*, 434 Mich 904; 453 NW2d 680 (1990). The existence of MCR 7.204(E)(3) might imply that there may be some exceptions to this principle, but defendant has not cited to any such exception and, thus, has not established any ground for dismissing this appeal. Further, *Belfiori v Allis-Chalmers, Inc*, 107 Mich App 595, 601; 309 NW2d 682 (1981), involved this Court’s review of a trial court setting a security bond requirement for pursuing a case at the trial court level and, thus, is not on point.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

October 27, 2020

Date



Chief Clerk